

ORDINANCE NO. O2024-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, REZONING CERTAIN PROPERTY LOCATED IN THE LOW DENSITY RESIDENTIAL (R-1-6) DISTRICT TO THE HIGH DENSITY RESIDENTIAL (R-3) DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM WITH THE REZONING

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on November 27, 2023 in Zoning Case no: ZONE-41893-2023 in the manner prescribed by law for the purpose of rezoning a parcel of real property hereafter described to the High Density Residential (R-3) District as provided in Chapter 154 of the Yuma City Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on November 3, 2023; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-41893-2023 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: That the following described real property, depicted in Exhibit A, attached:

The South one-third of that portion of the North half of the North half of the Southwest quarter of the Northeast quarter (N¹/₂N¹/₂SW¹/₄NE¹/₄) of Section 29, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, in the City of Yuma, Yuma County, Arizona, lying East of the East Main Canal, more particularly described as follows:

BEGINNING at the Northeast corner of said South one-third, which lies South 0°21' West 221.07 feet from the Northeast corner of the North half of the North half of the Southwest quarter of the Northeast quarter (N¹/₂N¹/₂SW¹/₄NE¹/₄) of Section 29, Township 8 South, Range 23 West;

thence South 89°58¹/₄' West 1023 feet, more or less, to the East bank of the East Main Canal;

thence in a Southerly direction along said East Canal Bank 110 feet, more or less, to a point where the South line of the North half of the North half of the Southwest quarter of the Northeast quarter (N¹/₂N¹/₂SW¹/₄NE¹/₄) intersects the said East Canal Bank;

thence North 89°58¹/₄' East 1023 feet, more or less, along the South line to the Southeast corner of said North half of the North half of the Southwest quarter of the Northeast-quarter (N¹/₂N¹/₂SW¹/₄NE¹/₄) of Section 29;

thence North 0°21' East 110.53 feet, along the East line of above tract to the point of beginning;

Exclusive of the United States Reclamation Service Right of Way along the East side of the said East Main Canal;

EXCEPT the East 396 feet thereof.

Containing 57,934 square feet or 1.33 acres, more or less.

shall be placed in the High Density Residential (R-3) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the High Density Residential (R-3) District and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the High Density Residential (R-3) District, and

SECTION 2: That the following condition(s) must be met and/or completed in order for the zoning amendment to be final:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. §12-1134.

SECTION 3: Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to A.R.S. §9-462.01.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

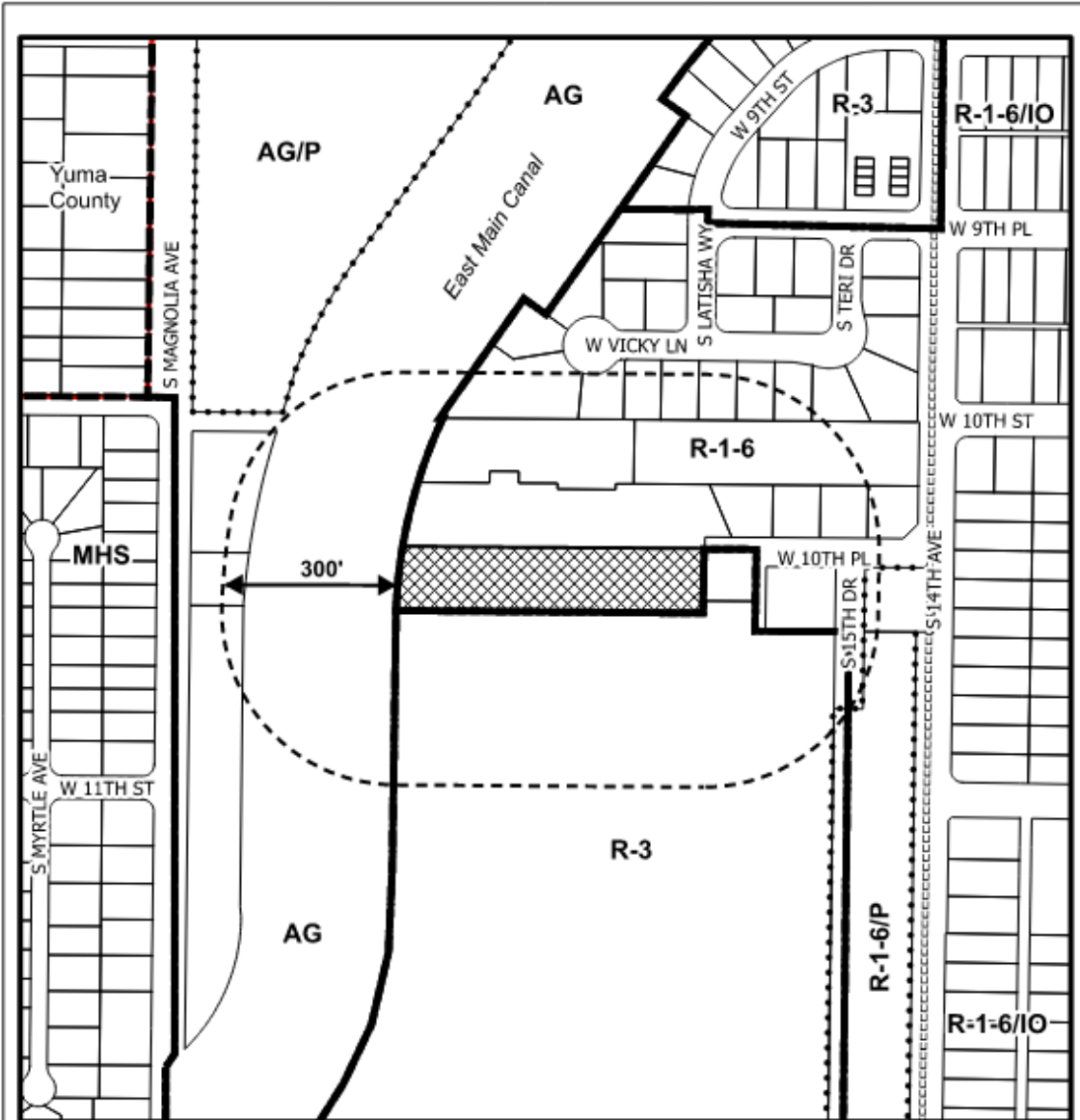
ATTESTED:

Lynda L. Bushong
City Clerk


APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A



LOCATION MAP

 LOCATION OF SUBJECT PROPERTY



Prepared by: DG
Checked by: JLA



Date: 10/4/2023
Revised:
Revised:

Case #:
ZONE-41893-2023